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Indiana Economic Development Corporation

Mr. Mike Mettler, Director
Environmental Public Health Division
Indiana State Department of Health

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Mr. Mettler:

Pursuant to IC 4-22-2-28, the Indiana Economic Development Corporation ("IEDC") has reviewed the economic impact analysis for small business associated with rule changes proposed by the Indiana State Department of Health ("ISDH") contained in LSA Document 09-06. The proposed rule amends 410 IAC 6-2.1 to address four concerns related to public and semi-public pools. The rule changes: add a section regulating pools and spas at tourist homes, correct code citation errors, and incorporate new federal law changes. The proposed rule also makes needed clarifications and updates the existing rules to incorporate the latest pool and spa operation science.

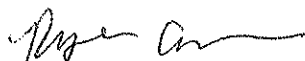
The impact statement provided by ISDH estimates that the proposed rule will impact four water parks and 350 hotels with pools. Costs incurred as a result of this rule include costs associated with additional signage, which the ISDH estimates to be between \$10 and \$30 per business. Additional costs will be incurred through the requirement that shower facilities purchase soap dispenser and soap on an ongoing basis if the facility does not currently provide soap. The ISDH estimates that the cost per dispenser will be between \$10 and \$120 and the cost for a gallon of liquid soap is \$13. ISDH estimates that the maximum annual cost associated with these provisions is \$163 per business.

Facilities will incur additional costs in the event of a fecal accident as a result of this rule. In the event of a fecal accident, which is rare, the facility is required to raise the free chlorine residual to 20ppm and maintain the level for an additional 4.75 hours for an indoor pool and possibly up to an additional 22 hours for some outdoor pools. The increased cost for the chlorine varies by the type of chlorine used by the pool. The ISDH estimates that this cost will be \$10 to \$45 per 10,000 gallons of pool water. Cost incurred may also include loss of revenue as a result of the length of time the facility must be closed to the public to achieve proper disinfection.

Finally, there is some increased cost for reporting, record keeping and administrative costs as a result of this proposed rule. The proposed rule includes a requirement that facilities keep a log of fecal accidents occurring in the pool, water chemistry information at the time of the accident, and the procedure followed in response to the accident.

The IEDC does not object to the economic impact on small businesses as a result of this rule. The rule proposed by the ISDH is based on standards set by the federal Centers for Disease Control and Prevention. Furthermore, the state needs a uniform system to prevent harm caused by improperly operated and maintained public and semi-public pools. The costs incurred by small businesses are insubstantial, and many facilities may never experience some of the costs associated with the proposed rule. If you have any questions about the comments contained herein please contact me at 232-8962 or rasberry@iedc.in.gov.

Regards,



Ryan Asberry
Assistant Vice President